

**REMARKS/ARGUMENTS**

Prior to the entry of this Amendment, claims 1-32 were pending in this application. No claims have been amended, no claims have been added, and claim 13-15 have been canceled herein. Therefore, claims 1-12 and 16-32 remain pending in this application. The Applicant respectfully requests reconsideration of these claims for at least the reasons presented below.

**35 U.S.C. § 102 Rejections, Michelassi**

The Office Action rejected claims 1-11, and 16-31 under 35 U.S.C. §102(b) as being anticipated by U. S. Publication No. 2005/0137982 to Michelassi et al. (hereinafter "Michelassi"). The Applicants respectfully contend that the rejection is improper and should be withdrawn. Specifically, the Applicants note that the filing date of the present application is December 9, 2003 while the filing date of Michelassi is December 23, 2003. That is, Michelassi has a priority date after the filing date of the present application. Therefore, Michelassi cannot be "prior" art. Furthermore, "publications, patents, public uses and sales must occur 'more than one year prior to the date of application for patent in the United States' in order to bar a patent under 35 U.S.C. 102(b)." (MPEP §2133) Michelassi clearly does not pre-date the present application by more than one year. For at least these reasons, the Applicants respectfully request withdrawal of the rejection.

**35 U.S.C. § 102 Rejections, Templeton**

The Office Action rejected claims 13-14 under 35 U.S.C. § 102(b) as being anticipated by U. S. Publication No. 2003/0130919 to Templeton et al. (hereinafter "Templeton"). The Applicants respectfully point out that claims 13 and 14 have been canceled herein, thereby rendering the rejection moot. The Applicants therefore request withdrawal of the rejection.

**35 U.S.C. § 103 Rejection, Michelassi, in view of Templeton**

The Office Action has rejected claims 12 and 32 under 35 U.S.C. § 103(a) as being unpatentable over Michelassi, in view of Templeton. As noted above, Michelassi does not have a priority date prior to the filing date of the present application. Therefore, Michelassi does not represent prior art with regard to the pending claims and cannot form the basis of a rejection under 35 U.S.C. § 103(a). For at least this reason the rejection is improper and should be withdrawn.

**35 U.S.C. § 103 Rejection, Michelassi, in view of Mollett**

The Office Action has rejected claim 15 under 35 U.S.C. § 103(a) as being unpatentable over Michelassi, in view of U.S. Patent Publication No. 2003/0216988 to Mollett et al. (hereinafter "Mollett"). The Applicants respectfully point out that claim 15 has been canceled herein, thereby rendering the rejection moot. The Applicants therefore request withdrawal of the rejection.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

/William J. Daley/  
William J. Daley  
Reg. No. 52,471

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PATENT

TOWNSEND and TOWNSEND and CREW LLP

Two Embarcadero Center, Eighth Floor

San Francisco, California 94111-3834

Tel: 303-571-4000

Fax: 415-576-0300

WJD:jep

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